

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
SOUTHWESTERN BELL COMMUNICATIONS)
SERVICES, INC., dba SOUTHWESTERN)
BELL LONG DISTANCE, dba NEVADA)
BELL LONG DISTANCE, dba PACIFIC)
BELL LONG DISTANCE, dba SBC LONG)
DISTANCE)
)
Transmittal No. 23, Filed on)
March 22, 2002, Business Block of)
Time 200 and Business Block of)
Time 400.)
_____)

DOCKET NO. 02-0101

ORDER NO. 19419

RECEIVED
2002 JUN 19 P 3:38
DIV. OF CONSUMER ADVOCACY
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATE OF HAWAII

Filed June 19, 2002
At 10:30 o'clock A .M.

Karen Higashi
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.

K. Higashi

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SERVICES, INC., dba SOUTHWESTERN)
BELL LONG DISTANCE, dba NEVADA)
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DISTANCE)

Docket No. 02-0101

)
Transmittal No. 23, Filed on)
March 22, 2002, Business Block of)
Time 200 and Business Block of)
Time 400.)
_____)

Order No. 19419

ORDER

I.

By Order No. 19323, filed on April 24, 2002, the commission suspended SOUTHWESTERN BELL COMMUNICATIONS SERVICES, INC.'s (SBC) transmittal number 23, pending further review. SBC's transmittal introduced new service offerings known as the Business Block of Time 200 and Business Block of Time 400 (collectively, Block Plans). The commission also instructed SBC to respond, in writing, by May 17, 2002, to the commission's stated concerns, or explain why it believes its Block Plans do not violate the applicable anti-competitive provisions governing the provision of telecommunications services in the State of Hawaii (State).

To date, SBC has not responded to Order No. 19323.¹ The commission, thus, will complete its review of the subject transmittal in the absence of SBC's response.

In general, interested consumers, in order to qualify for these Block Plans, must also subscribe to additional services, features, and products offered by SBC's affiliated carriers. Upon review, the commission reiterates its previous findings that the subject transmittal appears inconsistent with the competitive policies set forth in the: (1) Federal Telecommunications Act of 1996, codified at Title 47 of the United States Code; (2) State's Act 225, 1995 Session Laws of Hawaii, codified at Hawaii Revised Statutes (HRS), chapter 269; and (3) Hawaii Administrative Rules (HAR), chapter 6-80, the commission's rules governing competition in telecommunications services.²

The commission, thus, will deny SBC's transmittal number 23, in accordance with HRS § 269-16 and HAR § 6-80-40.

II.

THE COMMISSION ORDERS:

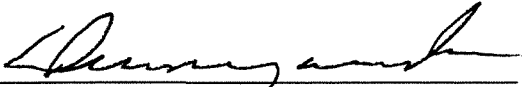
1. Southwestern Bell Communications Services, Inc.'s transmittal number 23, filed on March 22, 2002, is denied.
2. This docket is closed.

¹On May 31, 2002, the commission mailed a second copy of Order No. 19323 to SBC.

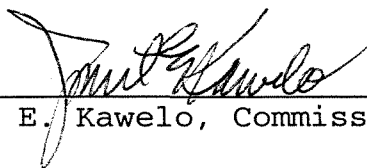
²Moreover, HAR § 6-80-87(1) requires telecommunications carriers to provide services on a non-discriminatory basis to all customers similarly situated or within a reasonably constituted class. See also HRS § 269-16(b).

DONE at Honolulu, Hawaii this 19th day of June, 2002.


PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Dennis R. Yamada, Chairman

By (EXCUSED)
Wayne H. Kimura, Commissioner

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Michael Azama
Commission Counsel

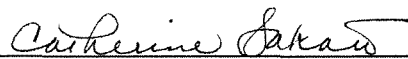
02-0101.sl

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 19419 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

BARBARA LOWE
VISIOLOGY, INC.
16061 Carmel Bay Drive
Northport, Alabama 35475



Catherine Sakato

DATED: June 19, 2002